

REMARKS / ARGUMENTS

Claims 2-3, 5-6, 8-9, 11-12, 14-15 and 17-18 are pending in this application and are presented for reconsideration in view of the foregoing amendments and the following remarks.

Claims 2 and 5 have been amended to positively claim, "an input unit to receive a font selected by the user from among font characters displayed on a display unit". Claims 2 and 5 also define selection from among "font characters" instead of "new font characters". This provides a concordance with the antecedent language within the respective claims. Claims 2, 8, and 14 have been amended to recite, "the feature parameter including at least one of the features of radicals of the font character based on the character's stroke resulting in a shape of the font character". Support is found throughout the specification, including at page 16, lines 6-22 and page 19, lines 4-19.

Final Status of the Office Action

It is requested that the Final status of the outstanding Office Action be removed.

Claims 2-3 and 5 were rejected under 35 U.S.C. §112, second paragraph, because the claims omit essential elements amounting to a gap between the elements. It is submitted that this rejection is newly applied in that the previous issues were fully addressed in the previous Office Action, and because that the rejection is newly-applied to claim language previously presented. Accordingly, it is requested that the final status of the outstanding Office Action be removed.

Specifically, the rejection under 35 U.S.C. §112, second paragraph, in the first Office Action indicates that claim 2 was considered to have met the cited requirement.

"Clearly, claims 2, 4, 6, 8, 10, 14, 16, and 18 do limit their parent claims with the input device, and thus are not subject to this last rejection under 35 U.S.C. 112"
(Office Action mailed 01/10/2005, section 7)

The present Office Action represents a new holding with respect to the essential elements recited in claim 2. Accordingly, it is respectfully submitted that this is a newly-applied rejection with respect to claim 2.

Rejections Under 35 U.S.C. § 112, Second Paragraph - "Omitting Essential Elements"

In the outstanding Office Action, claims 2-3 and 5 were rejected under 35 U.S.C. §112, second paragraph, because the claims omit essential elements amounting to a gap between the elements. The Examiner cites §2172.01 of the *Manual of Patent Examining Procedure* (MPEP) in support of his assertion that the rejected claims omit essential elements. MPEP §2172.01 of the MPEP states that "a claim which fails to interrelate essential elements of the invention as defined by applicant(s) in the specification may be rejected under 35 U.S.C. §112, second paragraph. MPEP §2172.01.

The user input had previously been defined in terms of " ... the genetic algorithm processing section determines ... according to the preferences of a user based on a font character selected by the user ... " (claims 2 and 5). This provides the input, with the exception that the user has the option of not supplying that input. It is respectfully submitted that the ability of the user to withhold operating instructions does not result in a missing element of the claim. The claim recites that the information is used, which provides the necessary element. The above-stated rejection represents a change in interpretation of MPEP §2172.01 as applied to claim 2. It is further submitted that the elements were in fact described fully in the claims, which had previously recited:

" ... wherein the genetic algorithm processing section determines the plural new feature parameters according to the preferences of a user based on a font character selected by the user from among the new font characters displayed on the display unit" (claim 5; claim 2 similar; "the new font" now recited as "the font")

Accordingly, withdrawal of the rejection under 35 U.S.C. §112 is respectfully requested.

The amended claims now include a recitation of, "an input unit to receive a font selected by the user from among font characters displayed on a display unit". Accordingly, it is believed that the rejection is overcome. Specifically, the apparatus has a capability of accepting the user input in order to process the user input, and this capability is positively claimed. Accordingly, claims 2 and 5 are amended to more clearly state the limitation. It is requested that the rejection under 35 U.S.C. §112 be withdrawn.

Rejections Under 35 U.S.C. § 103

Claims 2, 8 and 14 were rejected as obvious under 35 U.S.C. §103(a) as obvious over Australian Publication No. AU 9952594 to Browne et al. (hereinafter "Browne"), taken in view of U.S. Patent No. 6,621,941 to Syeda-Mahmood et al. (hereinafter "Syeda-Mahmood") and U.S. Patent No. 5,062,047 to Tanaka et al. (hereinafter "Tanaka"). This rejection is traversed.

Browne was cited as showing a font storage section storing a font character of a basic font, a feature parameter storage section with a "subjective characteristic", a font generation section, and a display unit. Syeda-Mahmood is cited as showing an input unit scanning a character handwritten by the user. Tanaka is cited as disclosing the function of comparing characters from an OCR process to know characters in order to perform character recognition. Syeda-Mahmood is cited as showing extraction of features of handwritten characters as feature parameters in an OCR system used with PDAs.

Applicant's claim 2 recites:

" ... a basic font storage section ... a feature parameter storage section storing a feature parameter ... the feature parameter including at least one of the features of radicals of the font character based on the character's stroke resulting in a shape of the font character ... a genetic algorithm processing section ... a font generation section ... deforming the font character ... based on the plural new feature parameters generated in the genetic algorithm processing section ... a character features extraction section ... wherein the genetic algorithm processing section determines the plural new feature parameters according to the preferences of a user based on a font character selected by the user from among the font characters displayed on the display unit, and ... creates a font based on the plural new feature parameters according to the preferences of the user determined by the genetic algorithm processing section."

Applicant's claim 8 recites:

" ... generating plural new feature parameters by performing genetic algorithm processing on a parent feature parameter representing the feature of a font character ... generating new font characters by deforming a font character of a basic font for generating a font character based on the plural new feature parameters ... determining a new parent feature parameter according to the preferences of a user based on ... [selection] from among the new font characters displayed on [a] display unit ... creating a font based on the new parent feature parameter ... recognizing a [scanned] character ... comparing the recognized character and the font character of the basic font, and extracting a feature of the handwritten character as the feature parameter, wherein the feature parameter including at least one of the features of radicals of the font character based on the character's stroke resulting in a shape of the font character."

Applicant's claim 14 recites:

"generating plural new feature parameters by performing genetic algorithm processing on a parent feature parameter ... by deforming a font character of a basic font ... based on the plural new feature parameters ... determining a new parent feature parameter ... creating a font based on the new parent feature parameter according to the preferences of the user ... recognizing a character from character data scanned ... comparing the recognized character and the font character of the basic font, and extracting a feature of the handwritten character as the feature parameter, wherein the feature parameter including at least one of the features of radicals of the font character based on the character's stroke resulting in a shape of the font character."

The features of claims 2, 8 and 14 are neither shown nor suggested by the prior art of record. In particular, the prior art fails to disclose, teach, or suggest the "feature parameter" selected according to the invention including at least one of the features of

radicals of the font character based on the character's stroke resulting in a shape of the font character, as recited in Applicant's claims.

Specifically, Browne generates various new fonts by modifying an existing font in consideration of a user's preferences. Brown alters an existing font based on a user's identification of the portions of a font that are more aesthetically pleasing, i.e. a font's color, outline, relative size, etc. In contrast to the presently claimed invention, Browne fails to disclose, teach, or suggest, "scanning a character handwritten by the user", as recited in independent claims 2, 8 and 14. Browne further fails to disclose, teach, or suggest, "the feature parameter including at least one of the features of radicals of the font character based on the character's stroke resulting in a shape of the font character", also as recited in independent claims 2, 8 and 14. Browne does not go beyond altering an existing font. Thus, for at least the reason that, "scanning a character handwritten by the user" is missing from the cited prior art, the prior art does not render the presently claimed invention obvious.

Additionally, Browne does not disclose, teach or suggest, "the feature parameter including at least one of the features of radicals of the font character based on the character's stroke resulting in a shape of the font character " as recited in independent claims 2, 8 and 15. Neither of the cited references discloses a character features extraction section that does both of the claimed functions – comparing and extracting. The additional references to Syeda-Mahmood and Tanaka fail to disclose, teach, or suggest this feature. Thus, the presently claimed invention is patentable over the cited prior art for at least this additional reason.

Claims 3, 9 and 15 were rejected as obvious under 35 U.S.C. §103(a) as obvious over Browne, taken in view of Tanaka and taken further in view of a publication by Karl Sims titled "Artificial Evolution for Computer Graphics" (hereinafter referred to as "Sims"). This rejection is traversed. Claims 3, 9 and 15 describe:

"... the genetic algorithm processing section generates plural new feature parameters by performing genetic algorithm processing including crossover and mutation on two feature parameters selected from the feature parameter."

Since claims 3, 9 and 15 are dependent claims, the limitations must be read within the limitations of the parent claims. Specifically, there is no prior art showing of the use of such a

genetic algorithm (claims 3, 9 and 15) in combination with generation of fonts based on radicals of the font character based on the character's stroke resulting in a shape of the font character.

As mentioned in Applicant's prior response, Sims does not make up for the shortcomings of the Browne. Sims fails to disclose, teach, or suggest the extraction of features from the user-inputted font using a preliminarily stored basic font. Sims does not compare the recognized character with the font character of the basic font as recited in independent claim 2, 8 and 14. Sims further does not describe the character data scanned by the input unit is "a character handwritten by the user" as recited in claims 2, 8 and 14.

Thus, either alone or in combination with the Browne, Syeda-Mahmood and Tanaka, Sims fails to disclose, teach or suggest the present invention. There is no suggestion in the combination of "a character features extraction section configured to... compare the recognized character and the font character of the basic font" as recited in independent claim 2, or "comparing the recognized character and the font character of the basic font, and extracting a feature of the handwritten character as the feature parameter" as recited in independent claims 8 and 14.

Accordingly, Applicant respectfully requests that the rejection under 35 U.S.C. § 103(a) be withdrawn.

Allowed Claims

Claim 5 was deemed allowable over the prior art of record. Claims 6, 11-12 and 17-18 were deemed allowable.

Conclusion

In light of the foregoing, Applicant submits that the application is in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner call the undersigned attorney in order to expedite the prosecution of the application.

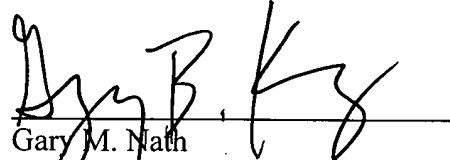
In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Respectfully submitted,

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A handwritten signature in dark ink, appearing to read "Gary M. Nath", is written over a horizontal line.

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